

AMENDMENT**U.S. Appln. No. 09/555,945****2489-1-001**REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the following remarks.

Claims 21-23, 27-30 and 34 have been rejected under 35 U.S.C. §103 (a) as being unpatentable over Kneezel, U.S. Patent 5,257,043 in view of Hamano, JN 354158232 A, and Ishinaga *et al*, EP-0631870. Claims 24, 25, 31 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kneezel in view Hamano and Ishinaga *et al* as applied to claims 21-23, 27-30 and 34 and further in view of Donahue *et al*, U.S. Patent 6,155,669. Finally claims 26 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kneezel in view of Hamano and Ishinaga as applied to claims 21-23, 27-30 and 34 and further in view of Kanemitsu.

Accordingly, Applicant respectfully traverses the above rejection as based on a combination that exercises hindsight to create a combination that is neither practical nor desirable. The examiner has rejected the claims of the present application as being unpatentable over a series of prior art references. Applicant respectfully disagrees with the examiner's finding for the reasons that will be set forth hereinafter.

AMENDMENT

U.S. Appln. No. 09/555,945

2489-1-001

The Examiner has rejected claims 21-23, 27-30 and 34 for allegedly being unpatentable over Kneezel in view of Hamano and Ishinaga. In this respect, the Examiner contends, *inter alia*, that Hamano discloses tilting a printhead, and that in view thereof, it would have been obvious to one having ordinary skill in the art to modify Kneezel by tilting each printhead unit and to provide a microprocessor and memory on each printhead unit.

Hamano discloses a full printhead 15 comprising a plurality of nozzles 16, the printhead being one single unit that moves perpendicularly to the right and to the left of the conveying direction of the substrate to be printed and that is tiltable in respect of said conveying direction.

Applicant submits that the Examiner's finding is based on an inadmissible *ex post facto* interpretation of the cited prior art references in view of the fact that the performance and operation of the printing devices of Kneezel and Hamano are so different from each other that, without the description and teaching in the instant application, a skilled person would have refrained from combining the device of Kneezel with that of Hamano. Further, the combination would not have resulted in the features of the instant

AMENDMENT

U.S. Appln. No. 09/555,945

2489-1-001

independent claims 21 or 28.

Applicant submits that this is so because, whilst the Kneezel relates to a printing head comprised of a plurality of fixed printing modules 19, Hamano refers to a single printing head that does not comprise any modules and that is not fixed but moves, on the one hand, perpendicularly in respect of the trajectory of and, on the other, by changing the angle between its aligned printing nozzles 16 with regard to said trajectory so as to print according to different densities required.

Since Kneezel's printing head is a fixed one that comprises sufficient printing module so as to print on the whole of the width of the object to be printed, and since Hamano's printing head is a movable device that moves to the right and to the left to print on the whole of the width of the object to be printed, the skilled person would *prima facie* not have considered the incorporation of various of Hamano's printheads as printing modules to replace the printing modules 19 of Kneezel's printhead to be feasible or convenient.

Moreover, even if the skilled person would have thought of combining Kneezel and Hamano, the combination would still not

AMENDMENT

U.S. Appln. No. 09/555,945

2489-1-001

result in the printing device as instantly defined in independent claims 21 and 28, but a rather complex printing device with printing units being individually tiltable for regulating the printing density. Contrarily, when using the instantly claimed printhead, printing density is regulated by means of the activation of injection nozzle of the various printing modules.

In view of the above, it is submitted that it would not have been obvious to combine Kneezel and Hamano at the time the instant invention was made and, moreover, the combination would not have resulted in the instantly claimed printing device.

In view of the above, it is readily apparent that the combined teachings of the cited prior art references would not have provided the skilled artisan to design the instant device as claimed.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. Accordingly, reconsideration and withdrawal of the outstanding grounds of rejection and early issuance of a Notice of Allowance are believed to be in order and are respectfully requested.

AMENDMENT

U.S. Appln. No. 09/555,945

2489-1-001

Should the Examiner deem that there are any issues which may be best resolved by telephone communication, he is respectfully requested to telephone Applicants undersigned Attorney at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David A. Jackson', is written over a horizontal line.

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Date: August 4, 2003

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Enclosure - Three-Month Extension of Time